modified

MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs Jorge Armando Silvas-Pena No. 08mj1913

The Court finds excludable delay, under the section indicated by check (√), commenced on 6/23/08 and ended on 7/7/08; (XM)

and ended on ______; ( )

3161(h)		
___(1)(A)	Exam or hrg for mental or physical incapacity	A
___(1)(B)	NARA examination (28:2902)	B
___(1)(D)	State or Federal trials or other charges pending	C
___(1)(E)	Interlocutory appeals	D
___(1)(F)	Pretrial motions (from flg to hrg or other prompt dispo)	E
___(1)(G)	Transfers from other district (per FRCrP 20, 21 & 40)	F
___(1)(J)	Proceedings under advisement not to exceed thirty days	G
___	Misc proc: Parole or prob rev, deportation, extradition	H
___(1)(H)	Transportation from another district or to/from examination or hospitalization in ten days or less	6
___(1)(I)	Consideration by Court of proposed plea agreement	7
___(2)	Prosecution deferred by mutual agreement	I
X (3)(A)(B)	Unavailability of defendant or essential witness	M
___(4)	Period of mental or physical incompetence of defendant to stand trial	N
___(5)	Period of NARA commitment or treatment	O
___(6)	Superseding indictment and/or new charges	P
___(7)	Defendant awaiting trial of co-defendant when no severance has been granted	R
___(8)(A)(B)	Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance	T
___(8)(B)(I)	1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. **(Continuance - miscarriage of justice)**	T1
___	2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. **(Continuance - tendered a guilty plea)**	
___(8)(B)(ii)	2) Case unusual or complex	T2
___(8)(B)(iii)	3) Indictment following arrest cannot be filed in thirty (30) days	T3
___(8)(B)(iv)	4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare **(Continuance re counsel)**	T4
___3161(I)	Time up to withdrawal of guilty plea	U
___3161(b)	Grand jury indictment time extended thirty (30) more days	W

Date 7-9-08

WMc
Judge's Initials